

01-07-02

A

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner For Patents  
Washington, D.C. 20231

## NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of Colleen E. Hayes and Faye E. Nashold for **Use of Biologically Active Vitamin D Compounds For The Prevention And Treatment of Inflammatory Bowel Disease.**

## CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service on this date **December 21, 2001** in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EL 837 033 658 US** addressed to: **Box Patent Application**, Assistant Commissioner For Patents, Washington, D.C. 20231.

*Susan M. McClintock*  
Susan M. McClintock

1. **Type Of Application**  
This new application is for a(n)  
☒ Original (nonprovisional)  
☒ Continuation.
2. **Benefit Of Prior U.S. Application(s)** (35 U.S.C. §§ 119(e), 120, or 121)  
☒ The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are **ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.**
3. **Papers Enclosed That Are Required For Filing Date Under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application**  
39 Pages of Specification  
6 Pages of Claims  
1 Page of Abstract  
2 Sheets of Formal Drawings
4. **Additional Papers Enclosed**  
☒ Preliminary Amendment
5. **Declaration**  
☒ Enclosed  
☒ Executed by inventors from parent application Serial No. 09/469,985.
6. **Inventorship Statement**  
The inventorship for all the claims in this application is:  
☒ the same
7. **Language**  
☒ English
8. **Fee Calculation (37 C.F.R. § 1.16)**  
☒ Regular application

## CLAIMS AS FILED

Number Filed	Number Extra	Rate	Basic Fee - \$740 00 (37 C.F.R. § 1.16(a))
Total Claims (37 C.F.R. § 1.16(c))	24 - 20 =	4 × \$18 00 =	\$72 00
Independent Claims (37 C.F.R. § 1.16(b))	3 - 3 =	0 × \$84 00 =	\$0 00
Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d))	+ \$270 00 =		\$0 00
Filing Fee Calculation			\$812 00

12/21/01

9. **Small Entity Statement(s)**

☒ Verified Statement(s) that this is a filing by a small entity under 37 C.F.R. §§ 1.9 and 1.27

**Filing Fee Calculation (50% of above)** \$406.00

10. **Fee Payment Being Made At This Time**

☒ Enclosed

☒ basic filing fee \$406.00

**Total Fees Enclosed** \$406.00

11. **Method of Payment of Fees**

☒ Check in the amount of \$406.00

12. **Authorization To Charge Additional Fees and Credit Overpayment**

☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No.: 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

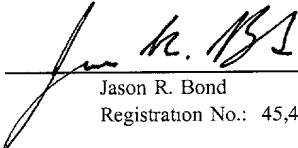
13. **Power of Attorney by Assignee**

☒ Enclosed Unexecuted

14. **Return Receipt Postcard**

☒ Enclosed

Dated: December 21, 2001

  
Jason R. Bond  
Registration No.: 45,439

MEDLEN & CARROLL, LLP  
101 Howard Street, Suite 350  
San Francisco, California 94105  
415/904-6500

☒ **Incorporation By Reference Of Added Pages**

☒ Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s)  
Claimed

Number of pages added 1

ADDED PAGES FOR APPLICATION TRANSMITTAL  
WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED

15. Relate Back

- A. 35 U.S.C. § 119(e)  
B. 35 U.S.C. §§ 120, 121 and 365(c)

☒ Amend the Specification by inserting before the first line the sentence: "The present application is a Continuation of copending application(s) 09/469,985 filed on December 21, 1999, which is allowed."

16. Further Inventorship Statement Where Benefit Of Prior Application(s) Claimed

- a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are  
☒ the same.  
b. This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventor(s) in this application are  
☒ the same.